

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**PENNSYLVANIA NATIONAL MUTUAL
CASUALTY INSURANCE COMPANY
A/S/O SIGNAL SERVICE INC.,
Plaintiff,**

v.

**FORD MOTOR COMPANY AND ALTEC
INDUSTRIES, INC.,
Defendants.**

CIVIL ACTION

NO. 23-1857

O R D E R

AND NOW, this 26th day of September, 2024, upon consideration of Defendant Ford Motor Company's Motion to Dismiss and Altec Industries, Inc.'s Joinder thereto (ECF Nos. 5, 16) (together, the "Defendants' Motions") and the responses thereto (ECF Nos. 12, 17–18), and for the reasons set forth in the accompanying Memorandum, **IT IS ORDERED** that Defendants' Motions (ECF Nos. 5, 16) are **GRANTED IN PART** and **DENIED IN PART** to the following extent:

1. Defendants' Motions are **GRANTED IN PART** and **DENIED IN PART** as to **Counts III and VI:**
 - Defendants' Motions are **GRANTED** as to Plaintiff Pennsylvania National Mutual Casualty Insurance Company A/S/O Signal Service Inc.'s ("Plaintiff") breach of express warranty claims. Plaintiff's breach of express warranty claims are **DISMISSED**.
 - Defendants' Motions are **DENIED** as to Plaintiff's breach of implied warranty claims.
3. Defendants' Motions are **DENIED** as to **Counts I, II, IV, and V.**

4. Within fourteen (14) days of this Order, Defendant Ford Motor Company shall file an Answer to Plaintiff's Complaint.

IT IS SO ORDERED.

BY THE COURT:

/s/ Hon. Kelley B. Hodge

HODGE, KELLEY B., J.